

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA, ex rel.
JENNIFER DENK,

Plaintiffs,

v.

Case No. 09-C-720

PHARMERICA CORPORATION,

FILED UNDER SEAL

Defendant.

UNITED STATES OF AMERICA,
STATE OF FLORIDA, and
COMMONWEALTH OF MASSACHUSETTS, ex rel.
ERIC BEEDERS and
LESA MARTINO,

Plaintiffs,

v.

Case No. 11-C-706

PHARMERICA CORPORATION as successor
in interest to Integrity Pharmacy Services,

FILED UNDER SEAL

Defendant.

ORDER

The United States having intervened in part and having declined to intervene in part pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4),

IT IS ORDERED that

1. The relators' complaints, any amended complaints, the Government's Notice of Election to Intervene in Part and to Decline to Intervene in Part, and this Order be unsealed;

2. The United States shall serve its Complaint upon defendant, together with this Order, within 60 days;

3. All other papers or Orders now on file in this matter shall remain under seal;

4. The seal be lifted respecting all other matters occurring in these actions after the date of this Order;

5. As to the part of the Civil Action, File No. 09-C-720, which the United States has declined to intervene, the parties shall serve all pleadings and motions, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in that part of the action, for good cause, at any time;

6. All orders of this court shall be sent to the United States; and that

7. Should relator Denk or the defendant propose that the part of the action in which the United States has declined to intervene be dismissed, settled, or otherwise discontinued, the parties shall provide notice to the United States and solicit its written consent before seeking a ruling by the court.

Dated at Milwaukee, Wisconsin, this 10th day of June, 2013.

BY THE COURT

/s/ C.N. Clevert, Jr.
C.N. CLEVERT, JR.
U.S. DISTRICT JUDGE